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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,209	01/14/2005	JeHo Nam	51876P803	3733
8791 7590 09/08/2009 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
PE, GEEPY				
ART UNIT		PAPER NUMBER		
2621				
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09/08/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments filed 8/25/09 and 4/1/09, with respect to claims 35-64, have been fully considered but they are not persuasive.
2. Regarding the argument that the 102(a) rejection is improper, as stated in the Remarks of 8/25/09, it is proper since 102(a) is similar to 102(c), in that there is no need for a 1 (one) year requirement before the filing date of the application.
3. Regarding the argument that reference used is not "by another," as stated in the Remarks of 4/1/09, it is considered "by another" since it is listed, within the first page of the Kim document, that only three authors are from ETRI (Electronics and Telecommunications Research Institute). That is, Man-Bae Kim is listed under Kangwon National Univ., Nam-Ik Cho under Seoul National Univ., etc. Those authors are considered to be affiliated with different institutions and are currently considered as "by another." Accordingly, the 102(a) rejection is proper and the Kim reference is deemed applicable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geepy Pe whose telephone number is (571)-270-3703. The examiner can normally be reached on Monday - Friday, 7:00AM - 3:30PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. P./
/Geepy Pe/
Examiner, Art Unit 2621

/Andy S. Rao/
Primary Examiner, Art Unit 2621
September 3, 2009